



Attorneys and Counselors at Law

556 Peninsula Blvd., Hempstead, New York 11550

Phone: 516-489-6959 • Fax: 516-489-6958 •

www.brewingtonlaw.com

Frederick K. Brewington

Albert D. Manuel III

Cobia M. Powell

Of Counsel

Oscar Holt III

Jay D. Umans

January 29, 2024

VIA ELECTRONIC CASE FILING

HON. LORNA G. SCHOFIELD

United States District Court Judge

United States District Court

Southern District of New York

500 Pearl Street

New York, New York 10007

Honorable Judge Schofield,

Re: *Timothy Rodgers v. Mercy College, et. al.*

Docket No.: 23-CV-07278

As the record reflects, we are the attorneys for the Plaintiff in the above-referenced matter. We respectfully submit this correspondence in accordance with Your Honor's Order dated January 26, 2024.

On November 6th, 2023, after contacting the funeral home where Defendant Southard's father's funeral was held, Karin Nevin was identified as a daughter of the deceased and as the sister of Kristine Southard by the funeral director. We are in possession of a physical address, phone number and email address for Mrs. Nevin. On January 2, 2024 at 11:40 A.M., in an attempt to locate Defendant Southard, a process server subcontracted by our investigator arrived at the home of Defendant Southard's sister and brother-in-law, Karin and Chris Nevin. Mrs. Nevin informed the process server that she would accept the Summons and deliver the Summons to Defendant Southard. Based upon our investigation, it is our belief that Mrs. Nevin is our best opportunity to ensure service upon Defendant Southard.

Plaintiff has also come to learn that the social media accounts associated with Defendant Southard have been inactive for several years and are unlikely to be a viable method to serve this Defendant. As a result, we seek this Court's permission to effectuate service through Defendant Southard's sister, Karin Nevin and/or any other means this Court sees fit.

We thank the Court for its time and attention in this matter.

Sincerely,


Albert D. Manuel III

ADM:dm